

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE**

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In re:

**AREDIA and ZOMETA
PRODUCTS LIABILITY LITIGATION
(MDL No. 1760)**

**No. 3:06-MD-1760
JUDGE CAMPBELL
MAGISTRATE JUDGE BROWN**

This Documents Relates to: **All Cases**

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ORDER

The case management order entered in these cases on July 28, 2006, made reference to a letter which each plaintiff must forward to treating medical sources, which the order stated was attached as Exhibit A. (Docket Entry No. 89, p. 20). This exhibit was inadvertently excluded from the case management order as filed. Accordingly, the letter which plaintiffs are to use is attached as Exhibit A to this Order.

So ORDERED.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge

EXHIBIT A

VIA U.S. Mail

[Recipient Name and Address]

Re: Medical Records for _____
_____ v. Novartis Pharms. Corp., No. _____ (M.D.Tenn.)
Plaintiff: _____; SSN: _____
DOB: _____

Dear Dr. _____:

You provided medical treatment to [Plaintiff's name]. [Plaintiff's name] is currently a plaintiff in litigation against Novartis Pharmaceuticals Corporation pending in the United States District Court for the Middle District of Tennessee captioned [specific case caption]. Records regarding your care and treatment of [Plaintiff's name] may be sought in that litigation.

You are hereby notified that, on July 28, 2006, the Court entered an Order precluding the "altering, destroying, permitting the destruction of, or in any other fashion changing any document or tangible item in the actual or constructive care, custody, or control of such person that is reasonably within the scope of discovery in this case, wherever such document or tangible item is physically located." Order of July 28, 2006 at page 19. The medical records related to [Plaintiff's name] in your possession reasonably fall within the scope of discovery in this case. In accordance with the Court's Order, you should take any and all appropriate steps to ensure that those records, including x-ray films and any other images, are not altered, destroyed, or otherwise changed until such time as the above-referenced litigation is completed.

Thank you for your attention to this matter.

Plaintiff's Counsel

cc: Joe G. Hollingsworth, Esq.
Katharine R. Latimer, Esq.